



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

Promoting the wise use of

MEETING DATE December 11, 2015 EFFECTIVE DATE December 26, 2015	CONTACT/PHONE Brandi Cummings, Project Manager (805) 781-1006	APPLICANT Bruce and Cindy Neuschwander	FILE NO. DRC2015-00032
SUBJECT A request by CINDY AND BRUCE NEUSCHWANDER for a Minor Use Permit (DRC2015-00032) to allow for the construction of a new 2,300 square-foot single-family dwelling with an attached 700 square-foot garage. The project will result in the permanent disturbance of approximately 3,000 square feet of a 1.07 acre parcel. The proposed project is within the Residential Suburban land use category and is located at 1955 Diablo Dr., approximately 0.5 miles west of the Los Osos Valley Road and Prefumo Canyon Road intersection. The parcel is immediately adjacent the city of San Luis Obispo. The site is in the San Luis Obispo planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2015-00032 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on October 22, 2015 (ED15-076).			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION Geologic Study Area, Sensitive Resource Area	ASSESSOR PARCEL NUMBER 067-220-014	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Sensitive Resource Area – San Luis Obispo Hillside, Planning Impact Area <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Exterior Lighting, Highway Corridor Standards, Setbacks, Underground Utilities, Geologic Study Area, Landscaping, Parking <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on December 26, 2015, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Vacant			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban/residences East: City of San Luis Obispo/residences South: City of San Luis Obispo/Open Space West: Residential Suburban/residences			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, Cal Fire, City of San Luis Obispo	
TOPOGRAPHY: Moderately sloping	VEGETATION: Grasses
PROPOSED SERVICES: Water supply: Irish Hills Mutual Water Company Sewage Disposal: Individual septic system Fire Protection: Cal Fire	ACCEPTANCE DATE: October 15, 2015

DISCUSSION

The subject property is located on Lot 14 in Tract 1875. This subdivision has a condition of approval that requires Minor Use Permit approval for each future residence. Other conditions of the subdivision with regard to Minor Use Permit approval include submittal of a landscaping plan that shows all landscape area and how irrigation water use will be minimized, a height restriction of 22 feet, and a restriction that exterior finish materials shall be compatible with surrounding soils and vegetation, and that whites shall be avoided except for accent trim. As proposed and conditioned, the residence complies with the conditions of approval of Tract 1875.

PLANNING AREA STANDARDS

Sensitive Resource Area – San Luis Obispo Hillside. All projects within the Sensitive Resource Areas (SRA) identified in the San Luis Obispo Sub-area are subject to the Highway Corridor Standards. The intent of this SRA is to call attention to and protect the importance of these resources.

Staff comment: The proposed project complies with the SRA standards and the Highway Design Corridor Standards in Section 22.10.095 (see discussion below).

Planning Impact Area. Applications for discretionary land use permits, land divisions, or General Plan amendments shall be referred by the County to the City of San Luis Obispo for review and comment. The County shall consider requiring improvements and/or offers of dedication from project where there is an appropriate and feasible connection between the proposed development and the improvement.

Staff comment: This project was referred to the City of San Luis Obispo. No comment was received.

LAND USE ORDINANCE STANDARDS

Section 22.10.060 Exterior Lighting. At the time of application for any land use permit or land division, the applicant shall provide details on any proposed exterior lighting, if applicable. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark-colored.

Staff comment: The proposed project is conditioned so that all exterior lighting shall comply with this standard.

Section 22.10.095 Highway Design Corridor Standards. Building colors other than trim shall be similar to surrounding natural colors and no brighter than 6 chroma and value on the Munsell Color Scale on file in the Department. A landscaping plan is required in compliance with Chapter 22.16.

Staff comment: The proposed project complies with this standard. Applicant has submitted a landscaping plan in compliance with Chapter 22.16, and has provided elevations that demonstrate natural, muted colors. In addition, the project is not located near any significant rock outcrop or geologic feature, will not silhouette along ridgetops, and is located on slopes of less than 20%

Section 22.10.140 Setbacks. The front setback shall be a minimum of 25 feet from the nearest point on the front property line. Side setbacks shall be a minimum of 30 feet on sites of one acre or larger (net area). The rear setback shall be a minimum of 30 feet on sites of one acre or larger (net area).

Staff comment: The proposed project complies with the required setbacks. The front setback is proposed at 30 feet, the left side setback is proposed at 90 feet, the rear setback is proposed at 105 feet, and the right side setback is proposed at 45 feet

Section 22.10.170 Underground Utilities. Utilities serving new structures shall be installed underground rather than by the use of poles and overhead lines. This requirement applies to electrical service and telecommunications connections between utility company distribution lines and all proposed structures on a site, and all new installations that distribute utilities within a site.

Staff comment: This project is conditioned to comply with this standard.

Section 22.14.070 Geologic Study Area. The Geologic Study Area (GSA) combining designation is applied to areas where geologic and soil conditions could present new developments and their users with potential hazards to life and property.

Staff comment: The proposed project complies with this standard as the certified Final Environmental Impact Report (Volume 1, 1994) for this Tract stated that "[t]he geological investigation required by the Land Use Ordinance in Geologic Study Areas has been conducted, and no landslides, significant slope instabilities, or other geologic hazards have been identified at the project site."

Section 22.16.010 Landscaping. The purpose of a landscape plan is to delineate the outdoor space including site development, earthworks, drainage, planting, irrigation and site details. By detailing the proposed plantings and method of irrigation, a landscape plan provides an effective means for evaluating whether chosen plant materials will: survive in the climate and soils of a given site; satisfy the functional objectives of landscape (such as erosion control, screening and shade) within a reasonable time; and whether a proposed irrigation system will adequately support plantings while conserving water.

Staff comment: The applicant has submitted a landscaping plan pursuant to Chapter 22.16, and the proposed project complies with this standard.

Section 22.18.010 Parking. Single-family dwellings require two off-street parking spaces.

Staff comment: The proposed project complies with this standard.

AGENCY REVIEW

Building Division – Per attached referral response (REVIEWER NAME; September 2, 2015), project will be required to comply with applicable building codes.

Public Works – Per response dated September 4, 2015

The proposed project is within a drainage review area. Drainage plan is required to be prepared by a registered civil engineer and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 22.52.110 of the Land Use Ordinance prior to future submittal of development permits.

Cal Fire – No response.

City of San Luis Obispo – No response.

LEGAL LOT STATUS

The one existing lot is lot 14 of Tract 1875, according to Map recorded May 14, 1999 in Book of Maps 18, Page 73, at a time when that was a legal method of creating lots.

Staff report prepared by Brandi Cummings and reviewed by Airlin Singewald.